

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on March 30, 2007
at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Roy Brown (R)
Sen. John Esp (R)
Sen. Verdell Jackson (R)
Sen. Don Ryan (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Lane L. Larson (D)
Sen. Frank Smith (D)

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 99, 3/27/2007; HB 348,
3/27/2007; HB 390, 3/27/2007; HB
766, 3/27/2007
Executive Action: HB 99, HB 348, HB 390, HB 537, HB
755

00:09:13 Vice Chair Sen. Tropila

HEARING ON HB 99

Opening Statement by Sponsor:

00:09:55 **REP. ALLEN OLSON (R), HD 45**, opened the hearing on **HB 99**, Increase fees for weighing device licenses.

Proponents:

00:10:59 Jack Kane, Deputy Administrator, Business Standards Division, Department of Labor and Industry (DLI)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:16:45 Sen. Ryan to Rep. Olson

00:17:58 Sen. Esp to Rep. Olson

00:18:43 Sen. Jackson to Rep. Olson

Closing by Sponsor:

00:19:53 Sen. Olson

HEARING ON HB 348

Opening Statement by Sponsor:

00:21:39 **REP. JIM KEANE (D), HD 75**, opened the hearing on **HB 348**, Increase out-of-state snowmobile fees.

Proponents:

00:24:18 Ronda Wiggers, Montana Snowmobile Association

00:26:03 Jim Kropp, Chief Law Enforcement, Montana Department of Fish, Wildlife and Parks (FWP)

EXHIBIT (bus68a01)

00:28:58 Don Allen, Western Environmental Trade Association
(WETA)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:29:50 Sen. Brown to Rep. Keane

00:31:29 Sen. Brown to Jim Kropp, FWP

00:32:06 Sen. Esp to Rep. Keane

00:33:02 Sen. Tropila to Rep. Keane

00:33:12 Sen. Cocchiarella

Closing by Sponsor:

00:33:24 Rep. Keane

HEARING ON HB 390

Opening Statement by Sponsor:

00:34:30 **REP. BILL NOONEY (R), HD 100**, opened the hearing on **HB 390**, Telephone account wagering on internet horseracing.

EXHIBIT (bus68a02)

Proponents:

00:37:38 Margaret Morgan, Governor's Task Force on Horseracing
(GTFH)

00:40:29 Ben Carlson, Governor's Task Force and Yellowstone
Downs

00:45:59 Dale Mahlum, Self

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:52:42 Sen. Esp to Rep. Nooney
00:53:22 Sen. Esp to Margaret Morgan, GTFH
00:55:04 Sen. Esp to Rep. Nooney
00:56:05 Sen. Balyeat to Margaret Morgan, GTFH
01:01:11 Sen. Balyeat to Dale Mahlum
01:04:33 Sen. Esp to Dale Mahlum
01:05:37 Sen. Squires to Dale Mahlum
01:07:58 Sen. Brown to Dale Mahlum
01:09:17 Sen. Ryan to Dale Mahlum
01:10:16 Sen. Tropila
01:10:53 Sen. Cocchiarella to Dale Mahlum
01:12:46 Sen. Brown to Dale Mahlum
01:13:48 Sen. Squires
01:14:14 Sen. Esp to Dale Mahlum
01:15:25 Sen. Tropila to Dale Mahlum

Closing by Sponsor:

01:16:23 Rep. Nooney

HEARING ON HB 766

Opening Statement by Sponsor:

01:26:00 **REP. JON SONJU (R), HD 7**, opened the hearing on **HB 766**,
Revise insure Montana law regarding employer size &
association health plans.

EXHIBIT(bus68a03)

Proponents:

01:31:27 Brad Griffin, Montana Retail Association

01:35:01 Darrin England, Program Manager, Montana Retail
Association (MRA)

EXHIBIT (bus68a04)

EXHIBIT (bus68a05)

01:40:12 Jon Bennion, Montana Chamber of Commerce

01:41:59 Riley Johnson, National Federation of Independent
Business (NFIB)

01:45:32 Frank Cote, America's Health Insurance Plans (AHIP)

01:46:54 Tanya Ask, Blue Cross/Blue Shield of Montana (BC/BS)

Opponents:

01:48:34 Emily Sirota, Governor's Office

01:51:06 Gordy Higgins, Deputy, State Auditor's Office (SAO)

01:53:11 Susan Witte, Allegiance Benefit Plan Management, Inc.,
and Allegiance Life and Health Insurance Company

Informational Testimony: None.

Questions from Committee Members and Responses:

01:53:51 Sen. Tropila to Emily Sirota, Governor's Office

01:55:00 Sen. Tropila to Gordy Higgins, SAO

01:57:14 Sen. Cocchiarella to Gordy Higgins, SAO

01:57:43 Sen. Brown to Gordy Higgins, SAO

02:00:59 Sen. Ryan to Gordy Higgins, SAO

02:04:02 Sen. Balyeat to Gordy Higgins, SAO

02:05:10 Sen. Balyeat to Emily Sirota, Governor's Office

02:05:27 Sen. Esp to Rep. Sonju

02:05:51 Sen. Esp to Gordy Higgins, SAO

02:07:31 Sen. Cocchiarella to Frank Cote, AHIP

EXHIBIT (bus68a06)

02:12:52 Sen. Balyeat to Frank Cote, AHIP

02:14:18 Sen. Cocchiarella to Rep. Sonju

02:17:46 Sen. Cocchiarella to Darrin England, MRA

02:21:01 Sen. Balyeat to Gordy Higgins, SAO

02:24:37 Sen. Cocchiarella to Gordy Higgins, SAO

02:25:57 Sen. Balyeat to Gordy Higgins, SAO

02:28:42 Sen. Cocchiarella

02:28:51 Sen. Balyeat

02:29:17 Sen. Balyeat to Lisa Crowley, Program Director, Insure
Montana, SAO

02:32:12 Sen. Ryan to Lisa Crowley, SAO

02:33:25 Sen. Brown to Rep. Sonju

02:38:00 Sen. Balyeat to Frank Cote, AHIP

Closing by Sponsor:

02:40:09 Rep. Sonju

02:40:57 Sen. Cocchiarella

EXECUTIVE ACTION ON HB 99

02:41:31 **Motion/Vote:** SEN. STEINBEISSER moved that HB 99 BE
CONCURRED IN. Motion carried 10-1 by voice vote with
SEN. BALYEAT voting no. SEN. SQUIRES, SEN. LARSON and
SEN. SMITH voted by proxy.

EXECUTIVE ACTION ON HB 348

02:42:13 **Motion/Vote:** SEN. JACKSON moved that HB 348 BE
CONCURRED IN. Motion carried unanimously by voice vote.

SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.

EXECUTIVE ACTION ON HB 390

02:43:07 **Motion:** SEN. RYAN moved that HB 390 BE CONCURRED IN.

Discussion:

02:43:26 Sen. Esp

02:43:36 Sen. Cocchiarella

02:43:58 Sen. Tropila

02:44:06 Sen. Jackson

02:44:11 Sen. Balyeat

02:45:06 Sen. Cocchiarella to Sen. Brown

02:46:24 **Motion/Vote:** SEN. TROPILA CALLED THE QUESTION ON HB 390. Motion carried 8-3 by roll call vote with SEN. BALYEAT, SEN. ESP, and SEN. JACKSON voting no. SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.

EXECUTIVE ACTION ON HB 537

02:47:25 **Motion:** SEN. RYAN moved that HB 537 BE CONCURRED IN.

Discussion:

02:48:11 Sen. Cocchiarella

EXHIBIT (bus68a07)

02:48:23 **Motion:** SEN. RYAN moved that AMENDMENT HB053701.APM BE ADOPTED.

Discussion:

EXHIBIT (bus68a08)

02:49:47 Sen. Esp

02:50:09 Sen. Cocchiarella

02:51:34 Sen. Balyeat

02:53:22 **Vote:** Motion that AMENDMENT HB053701.APM BE ADOPTED carried 10-1 by voice vote with SEN. COCCHIARELLA voting no. SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.

02:53:49 **Motion:** SEN. STEINBEISSER moved that AMENDMENT HB053702.APM BE ADOPTED.

EXHIBIT (bus68a09) _____

Discussion:

02:54:49 Sen. Brown to Sen. Cocchiarella

02:55:19 Pat Murdo, LSD

02:55:39 Sen. Steinbeisser

02:55:59 **Vote:** MOTION on AMENDMENT HB053702.APM carried unanimously by voice vote.

02:56:19 **Motion:** SEN. RYAN moved that HB 537 BE CONCURRED IN AS AMENDED.

Discussion:

02:57:42 Sen. Jackson

02:57:49 **Vote:** Motion that HB 537 BE CONCURRED IN AS AMENDED carried 10-1 by voice vote with SEN. BROWN voting no. SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.

EXECUTIVE ACTION ON HB 755

02:58:32 **Motion:** SEN. ESP moved that HB 755 BE CONCURRED IN.

Discussion:

02:59:33 **Motion:** SEN. ESP moved that AMENDMENT HB075502.APM BE ADOPTED.

EXHIBIT (bus68a10)

Discussion:

03:01:39 Sen. Cocchiarella to Brad Griffin, MRA

03:03:41 Pat Murdo, LSD

03:04:29 Sen. Cocchiarella to Chuck Hunter, Department of Labor and Industry (DLI)

03:05:10 **Sen. Esp withdrew motion on amendment.**

03:05:12 **Motion/Vote: SEN. ESP moved that a CONCEPTUAL AMENDMENT BE ADOPTED. Motion carried unanimously by voice vote. SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.**

03:07:44 **Motion/Vote: SEN. ESP moved that HB 755 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.**

Discussion:

03:09:54 Sen. Cocchiarella

EXECUTIVE ACTION ON HB 668

03:11:14 **Motion: SEN. ESP moved that HB 668 BE CONCURRED IN.**

Discussion:

03:11:21 **Motion/Vote: SEN. COCCHIARELLA moved that AMENDMENT HB066802.APM BE ADOPTED. Motion carried unanimously by voice vote. SEN. SQUIRES, SEN. LARSON and SEN. SMITH voted by proxy.**

EXHIBIT(bus68a11)

03:13:04 **Motion: SEN. ESP moved that HB 668 BE CONCURRED IN AS AMENDED.**

Discussion:

03:13:12 Sen. Esp

03:13:45 Sen. Cocchiarella

03:13:59 Vote: Motion that HB 668 BE CONCURRED IN AS AMENDED
carried 8-3 by voice vote with SEN. COCCHIARELLA, SEN.
LARSON, and SEN. SQUIRES voting no.

ADJOURNMENT

Adjournment: 12:30 P.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus68aad.pdf](#))